IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.883 of 2007
KABIR KHAN
Versus
STATE OF BIHAR & ORS
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9 26.08.2008 No one appears for the petitioner, same was the position on 18.8.2008 and even the previous day. However, learned Additional Public Prosecutor representing the State of Bihar is present.

Petitioner has prayed for quashing of the entire prosecution in relation to Chainpur PS case no. 109 of 2007 dated 6.8.2007 under sections 144,353,224,225 IPC.

In the instant writ petition, the petitioner has submitted that he has been falsely implicated in this case by the police as he raised voice against corrupt practices of the police personnel. Furthermore, on account of fracture injury and subsequent plaster on his leg (ankle) he could not have been in a position to be present at the place of occurrence at the relevant time.

Referring to suppl counter affidavit it is submitted by the State counsel that the Superintendent of police, Kaimur at Bhabua has found the case to be true against the petitioner.

In view of the aforesaid circumstances, this court does not find any ground for quashing of the instant FIR, as such, the writ petition is dismissed.

Shashi. **(S.P.Singh,J)**

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